

**STAFF REPORT**

Meeting Date: November 17, 2004

**Agenda Item 11**

**TO:** LAFCO Commissioners

**FROM:** Everett Millais, Executive Officer

**SUBJECT:** Cancellation of Special Meeting On December 8, 2004 and Authorization for the Chair or Vice-Chair to Call a Special Meeting as May Be Necessary

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**RECOMMENDATION:**

- A. Cancel the Special Meeting previously set for December 8, 2004.
- B. Authorize the Chair or the Vice Chair, in conjunction with the Executive Officer, to call a Special Meeting for December 8, 2004, as may be necessary to complete protest proceedings for LAFCO 04-19 City of Camarillo Reorganization – Ramona Drive.

**DISCUSSION:**

At the October meeting, and based on my recommendation, the Commission set a Special Meeting for December 8, 2004. The reason for the recommendation and the Commission's concurrence about setting this Special Meeting was to be able to hold a hearing to consider the various municipal service reviews now being prepared by LAFCO's consultant. It is now recommended that this Special Meeting be cancelled, unless it is needed for action relating to the amount or number of written protests received concerning the City of Camarillo reorganization for Ramona Drive.

In terms of the latest municipal service reviews, I have just recently received most (but not all) of the administrative drafts. Once these drafts are reviewed by staff and initial corrections are made, they need to be sent to the 17 special districts involved as drafts for their review. After allowing the special districts sufficient time to review the drafts,

**COMMISSIONERS AND STAFF**

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<b>COUNTY:</b> Kathy Long Linda Parks <i>Alternate:</i> Steve Bennett	<b>CITY:</b> Evaristo Barajas, Chair Don Waunch <i>Alternate:</i> John Zaragoza	<b>SPECIAL DISTRICT:</b> Jack Curtis, Vice Chair Dick Richardson <i>Alternate:</i> Ted Grandsen	<b>PUBLIC:</b> Louis Cunningham  <i>Alternate:</i> Kenneth M. Hess
<b>EXECUTIVE OFFICER:</b> Everett Millais	<b>LAFCO ANALYST:</b> <i>Vacant</i>	<b>OFFICE MANAGER/CLERK:</b> Debbie Schubert	<b>LEGAL COUNSEL:</b> Leroy Smith

final editing and printing must occur so that they are available in final draft form in adequate time for the public and the Commission to review them before any hearings. There is simply not enough time to accomplish all of this and provide everyone with adequate review time before December 8. Thus, no special meeting is necessary for hearings on the latest round of municipal service reviews on December 8. These hearings will now be scheduled for Commission action on January 19, 2005.

The Commission may, however, need to meet on December 8. The Commission has delegated authority to the Executive Officer to hold conducting authority protest proceedings (Commissioner's Handbook Section 2.6.2, page 39). This delegation of authority, however, only authorizes the Executive Officer to order a change of organization or reorganization if the written protests filed are less than the threshold amounts set forth in the law. If the written protests filed exceed the threshold amounts specified in the law, the Commission must meet within 30 days of the protest hearing and take subsequent action.

LAFCO 04-19 City of Camarillo Reorganization – Ramona Drive, was approved by the Commission on October 20, subject to protest proceedings being conducted. The protest proceeding hearing has been noticed and will be conducted by the Executive Officer, pursuant to the Commission's delegated authority, at 10 A. M. on Thursday, November 18. If, prior to the conclusion of that hearing, written protests are filed by at least 25%, but less than 50% of the registered voters in the affected territory, or by at least 25% of the number property owners who also own at least 25% of the assessed land value within the affected territory, the Commission will need to meet to call for an election. If over 50% of the registered voters within the affected territory file written protests before the conclusion of the November 18 protest hearing, the Commission will need to meet to terminate proceedings.

At this point in time, the outcome of the protest proceeding hearing relating to the City of Camarillo Reorganization – Ramona Drive is unknown. While the City conducted several property owner surveys prior to filing the application with LAFCO (both for LAFCO purposes and for the possible formation of an assessment district), and has expressed confidence that there is majority support, it is quite possible that there could be written protests filed that exceed the 25% thresholds for requiring an election. Because the Commission previously set a Special Meeting for December 8, it is recommended that this date be reserved, and the Chair or Vice Chair, in conjunction with the Executive Officer, be authorized to call a Special Meeting for that date if necessary for the City of Camarillo – Ramona Drive proceedings.

If there is no December 8 meeting, the November 17 meeting will be the last meeting in 2004, and the next LAFCO meeting will be the regular meeting of January 19, 2005.

LAFCO Staff Report

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